TITLE 6. TRIAL AND SENTENCING.

SUBTITLE 1. TRIAL.

6–101. RIGHT TO TRIAL BY JURY.

IN A CRIMINAL CASE TRIED IN A COURT OF GENERAL JURISDICTION, THERE IS NO RIGHT TO A JURY TRIAL UNLESS:

    (1)   THE CRIME CHARGED IS SUBJECT TO A PENALTY OF IMPRISONMENT; OR

    (2)   THERE IS A CONSTITUTIONAL RIGHT TO A JURY TRIAL FOR THE CRIME.

> REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 593A.
>
> In this section, the references to "crime" are substituted for the former references to "offense" to avoid any ambiguity that "offense" could apply to an offense other than an offense that results in a criminal conviction and to conform to terminology used in the Correctional Services Article. *See, e.g.,* CS § 4–306(c)(1)(iii).

6–102. ROLE OF JURY.

EXCEPT AS PROVIDED IN § 6–104 OF THIS SUBTITLE, IN THE TRIAL OF A CRIMINAL CASE IN WHICH THERE IS A JURY, THE JURY IS THE JUDGE OF LAW AND FACT.

> REVISOR'S NOTE: This section is new language derived without substantive change from the first clause of the first sentence of former Art. 27, § 593.
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> In this section, the reference to a trial "in which there is a jury" is added in light of § 6–101 of this subtitle and to state expressly what was only implied in the former reference to the trial of "all criminal cases".
>
> The Criminal Procedure Article Review Committee notes, for consideration by the General Assembly, that the General Assembly may wish to delete this section as unnecessary in light of Article 23 of the Maryland Declaration of Rights, which declares that "[i]n the trial of all criminal cases, the Jury shall be the Judges of Law, as well as of fact".

6–103. TRIAL DATE.

    (A)   REQUIREMENTS FOR SETTING DATE.

    (1)   THE DATE FOR TRIAL OF A CRIMINAL MATTER IN THE CIRCUIT COURT SHALL BE SET WITHIN 30 DAYS AFTER THE EARLIER OF:

    (I)   THE APPEARANCE OF COUNSEL; OR

    (II)   THE FIRST APPEARANCE OF THE DEFENDANT BEFORE THE CIRCUIT COURT, AS PROVIDED IN THE MARYLAND RULES.